

ANNEXURE—I

The 17th October 1989

No.FEM.106/85/14.—In exercise of the powers conferred by section 10 of the Meghalaya (Minister's Salaries and Allowances) Act, 1972 (Act No. 4 of 1972), the Governor of Meghalaya is pleased to make the following rules, namely:—

THE MEGHALAYA MINISTERS' ALLOWANCES AND PRIVILEGES RULES, 1989.

CHAPTER I

Preliminary

1. Short title and commencement.—(1) These rules may be called the Meghalaya Ministers' Allowances and Privileges Rules, 1989. (2) Rule 9 shall be deemed to have come into force with effect from 1st August, 1988 and the rest from the date of their notification in the official gazette.

2. Definition.—In these rules, unless there is anything repugnant in the subject or context—

- (a) "Act" means the Meghalaya (Ministers' Salaries and Allowances) Act, 1972;
- (b) "Minister" includes the Chief Minister, Deputy Chief Minister, Minister of State and Deputy Minister.

CHAPTER II

Accommodation

3. Residence and Furniture.—(1) The rent-free residence provided to a Minister shall be initially furnished with furniture and other articles at such scale as Government may by order prescribe and cost of which shall not exceed Rs. 60,000 (Rupees sixty thousand). Further an amount not exceeding Rupees twenty thousand may be incurred on annual maintenance of the residence and/or replacement of the furnishings.

(2) An existing residence already furnished need not be refurnished until the General Administration Department in consultation with the Finance Department decides otherwise; but where any item is worn out or damaged beyond repair, except through negligence of the user, replacement may be made by an item of a similar type at Government cost.

(3) Whenever a deviation from the furnishings prescribed under sub-rule (1) is necessary to suit a particular residence and/or to meet the wishes of the Minister, such deviation may be permitted provided that the prescribed monetary limit of Rs. 60,000 (Rupees sixty thousand) not exceeded in any case.

(4) A Minister who does not occupy a residence provided by Government may select items of furnishings as may be prescribed under sub-rule (1) and on his relinquishing office shall return those articles to the Estate Officer.

4. Replacement of furniture or article. (1)—Replacement of any furniture or article supplied to the residence of a Minister under these rules shall be at public expense when Government in the General Administration Department are satisfied that a particular article has become unusable due to normal wear and tear.

(2) If any article supplied to the residence of a Minister is lost or damaged except through normal wear and tear the loss shall be made good by the Minister concerned. Government in the General Administration Department shall be the authority competent to decide whether a particular article has been lost or damaged otherwise than through normal wear and tear and to assess the loss.

5. Verification of furniture and articles.—(1) The furniture and articles supplied to the residence of the Minister under rule 3 shall be physically verified by the Estate Officer at least once in a year. For this purpose the Estate Officer shall maintain three sets of Stock-books one of which shall be kept with the Estate Officer, the other at the residence concerned and the third one with the Government in the General Administration Department.

(2) When a Minister vacates the residence provided to him the Estate Officer shall physically verify the furniture and articles supplied under these rules and take over the same under his custody.

(3) The Stock book shall be signed by the Minister concerned and the Estate Officer at the time of the initial furnishing, annual verification and also at the time when the Estate Officer takes over the furniture and articles under sub-rule (2).

6. Addition Alteration, etc., of Residence not allowed.—No addition, alteration or modification of the residence which is of such a nature as call not come within the purview of normal repairs shall be made except with the prior approval of the General Administration Department.

7. Maintenance of Residence at Public Expense.—(1) Maintenance, including payment of municipal and other taxes, of a residence provided to a Minister shall be at public expense and according to orders Government may make from time to time.

(1) For proper care and maintenance of the residence and compounds Government may entertain not more than two malis and one sweeper. If the Minister employs his own mali or sweeper shall be entitled to be reimbursed for each of them at the minimum of the scale of pay and other allowances as are admissible to such class of Government employees.

8. **Reimbursement of Electric charges.**—A Minister shall be reimbursed the charges for electricity consumed at his residence subject to a limit of Rs.200 (Rupees two hundred) only per mensem.

9 **Private Residence and Rent for.**—If a Minister does not occupy the residence provided by Government, the private residence occupied by him shall stand requisitioned and rent with effect from 1st August, 1988 as may be assessed, according to the principles provided for in the Meghalaya Urban Areas Rent Control Act, 1972, by the Deputy Commissioner or by any officer appointed by the Government in this behalf paid for subject to a limit of Rs. 5,000 (Rupees five thousand) per mensem.

10. **Use of residence on ceasing to hold office.**—On ceasing to hold office a Minister shall be entitled to use the residence occupied by him under these rules for a period not exceeding one month from the date he so ceases to hold office.

(2) In exceptional cases Government may extent the period referred to in sub-rule (1) by any period not exceeding one month as it deems fit.

CHAPTER III

Travelling and daily allowances

11. **Journey in public Interest.**—(1) A Minister shall be entitled to travelling allowance for journeys performed in public interest.

Provided that no travelling allowance shall be admissible for journeys and halts within eight kilometres from his headquarters.

(2) Journey between any two stations shall be performed by the shortest route and any deviation shall be in order only when it serves some public interest and in such cases the travelling allowance bill shall contain a certificate to that effect.

(3) The headquarters of a Minister for the purpose of journey shall be at Shillong.

12. Travelling Allowance.—(1) Except as otherwise expressly provided in these rules, the travelling allowance of a Minister shall be regulated by corresponding rules applicable to Grade I Officers of the State Government as provided in the Meghalaya Travelling Allowance Rules, 1985 as amended from time to time.

(2) A Minister may be granted advance travelling allowance as per the provisions of the Meghalaya Financial Rules subject to adjustment on completion of the journey.

13. Journey by railways or steamer—(1) Actual fare for such journey performed on official duty by a Minister shall be paid according to the relevant provisions of the Meghalaya Travelling Allowance Rules, 1985.

(2) A Minister travelling by railways shall be entitled to reimbursement for—

- (a) a reserved air-conditioned compartment or part of compartment for his own use;
- (b) accommodation for two personnel servants accompanying him;
- (c) carriage of luggage, for which he vouches as his personal luggage, up to a maximum of 115 kg; including stores carried for consumption on tour; whether carried in the train by which he travels or sent by any other train;
- (3) Freight charges for goods and stores, other than those covered by clause (c) of sub-rule (2) shall be borne by the Minister himself.
- (4) When a Minister travels in a reserved railways accommodation, one person, being a relative of the Minister, may travel with him in such accommodation at Government expense.
- (5) A Minister travelling in a reserved railway compartment is entitled to incidental charges as may be prescribed by Government from time to time.

14. Journey by road.—(1) For journeys by road including empty haulage, the Minister shall be entitled to mileage allowance at rates as Government may by order prescribe from time to time.

(2) When a Government car is not available and a private vehicle or taxi is engaged, a Minister may draw the actual expense incurred and a certificate by the Minister to the effect that engagement of the vehicle or taxi was necessary in public interest as also details of the journeys performed shall be attached to the travelling allowance bill.

Explanation.—(a) Travelling by road includes travelling by river in a vessel or steamer for a portion of the journey.

(b) In the total of the claims for any particular journey fractions of a kilometre shall be excluded.

(3) For journeys by Government conveyance and by which cost of POL is borne by Government a Minister shall not draw any mileage allowance but only the daily allowance under rule 16.

(4) When a Minister travelling into areas otherwise inaccessible, use other means of conveyance for transport of himself and his personal luggage he may be reimbursed the actual travelling expenses incurred on production of a certificate as to the inaccessibility of the area and the expenses actually incurred.

15. Journey by air.—(1) For journey by air a Minister shall be paid the actual air fare plus incidental charges equal to one-fifth of such fare:

Provided that in case he travels by a class higher than the standard class, the incidental charges shall be limited to Rs. 20 only.

(2) For journeys by Government or aeroplane chartered by Government a Minister shall be entitled only to daily allowance under rule 16.

16. Daily Allowance.—(1) A Minister may, for each day of travel to or halt at any place within Meghalaya, draw daily allowance at such rates as Government may by order from time to time prescribe and at double the rates for each day of travel to or halt outside Meghalaya but within the North-Eastern Region and at triple the rates for each day of travel to or halt outside the North-Eastern Region. The daily allowance is admissible only when a Minister spends a night away from his headquarters:

Provided that in case of journeys not involving night halt full daily allowance shall be admissible where the distance travelled is not less than 80 Kms and half of such allowance where the distance is not less than 40 Kilometres but less than 80 Kilometres:

Provided further that when on tour outside the State the Minister is treated as a State Guest and provided with free board and lodging at the expense of the Government of the State or Union Territory he visited, the daily allowance shall be limited to half of what he would normally be entitled to at the station concerned.

(2) Daily allowance shall not be drawn by a Minister except during absence from headquarters on duty.

Explanation.—The period of absence begins when a Minister leaves his headquarters and ends when he returns to it whether he halts outside or not.

(3) Daily allowance shall not be admissible for journeys or halts within a radius of eight kilometres from headquarters.

(4) Daily allowance may be drawn by a Minister for a holiday occurring during a tour.

(5) Daily allowance may not be drawn by a Minister for a continuous halt of more than ten days at any one place unless Government in public interest permits it. The rate of daily allowance in that case shall be reduced to three-fourths after the first ten days and to half after the first thirty days.

17. Hotel Accommodation.—A Minister while on tour outside the state shall be entitled to stay in 5-star Hotel or other accommodation of equivalent standard and may claim reimbursement of the lodging expense on production of actual paper's receipt for the same.

18. Cost of Petrol Oil and Lubricants.—For meeting expenses for journeys within 8 Kms. of his headquarters a Minister shall be reimbursed per month the cost of 200 litres of a petrol and 4 litres of mobil oil.

19. Journey outside India.—Subject to orders as may otherwise be issued from time to time a Minister proceeding on duty outside India shall be entitled to travelling and other expenses as admissible to the heads of Indian Missions in the countries concerned.

20. Travelling allowance to join, etc., office.—When a person is appointed a Minister, he shall be entitled, for the journeys to join his post and to return home on ceasing to hold office, to travelling allowances for himself and members of his family and for the transport of personal effects at rates admissible to a Grade I Officer of the State Government while on transfer.

CHAPTER IV

Drivers, Maintenance and Repairs of Cars

21. Engagement of driver.—(1) For a car allotted to a Minister a driver shall be engaged by Government.

(2) The car with its accessories shall remain the property of Government but shall be placed at the disposal of the Minister for the period of his tenure of office. When a Minister relinquishes office, the car with all the accessories shall be returned to Government.

(3) The accessories of the car shall be those as Government may from time to time specify.

(4) The car shall be inspected by the Government Motor Vehicles Inspector half-yearly and at the time when a Minister relinquishes office.

(5) Charges for the maintenance and upkeep of the car shall be apportioned in the manner indicated below:—

- (a) Registration fee of the car and other fees and taxes as may be due on insurance, if required, expenditure for repairs and replacement of worn-out or broken parts including renewal of tyres and tubes incidental charges connected with painting, number plates, flags and periodical overhauling shall be met by Government;
- (b) running expenses, such as cost of a petrol, mobil oil and lubricants shall be met by the Minister himself;
- (c) Brake fluids, gear oil, axle oil and mobil oil required while flushing the engine shall constitute part of normal servicing and the cost borne by Government.

Explanation.—Periodical overhauling includes servicing and check-up, occasional tuning and adjustment and decarbonising, changing of rings and reborring, etc.

22. Use of car on ceasing to hold office.—(1) On ceasing to hold office, a Minister shall be entitled to use the car allotted to him under these rules for a period not exceeding one month from the date he ceases to hold office.

(2) In exceptional cases Government may extend the period referred to in sub-rule (1) by any period not exceeding one month as it deems fit.

CHAPTER V

Miscellaneous

23. Repeal and Savings.—(1) The Meghalaya Minister's (Allowances and Privileges) Rules, 1973 and the Meghalaya Ministers of State's (Allowances and Privileges) Rules, 1973 are hereby repealed.

(2) Notwithstanding the repeal, all privileges and allowances including mileage and daily allowances as are applicable to a Minister immediately before the commencement of these rules shall, until otherwise revised, continue to be at such same rates and be deemed to have been made applicable to him under the corresponding provisions of these rules.

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